

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sarprio Doranti a/k/a Elliot Holly,

Civil No. 13-1667 (DWF/LIB)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Department of Human Services,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated July 10, 2013. No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Leo I. Brisbois's July 10, 2013 Report and Recommendation (Doc. No. [3]) is **ADOPTED**.
2. Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. No. [1]) is **DENIED**.
3. Petitioner's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED**.

4. This action is summarily **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

5. Petitioner is not granted a Certificate of Appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 30, 2013 s/Donovan W. Frank
 DONOVAN W. FRANK
 United States District Judge